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A Major Intelligence Overhaul

Charges are heard every day that President Carter is not moving boldly, or at all, as some have said, on his campaign pledge of vast government reorganization. He went a long way the other day, however, to knock down this analysis. Assuredly, it applies no longer to his approach to the intelligence branches of government; the Carter plan for overhaul has a sweep never seen before.

It includes some major, long-needed reforms to assure, as he promised from the platform year before last, that those past illegalities and gross excesses committed against the rights of American citizens by intelligence agencies are, without question, things of the past. His executive order issued for this purpose sets standards which will go far toward bringing intelligence firmly under the law, and quite likely these will be enacted into even more solid law by Congress before the year is out.

But Mr. Carter, at the same time, has ordered a concentration of power never paralleled before, in the director of the Central Intelligence Agency, and this should be reason for concern. He may have swept a bit too widely in this matter of increasing the power of one person, and not quite far enough in one other respect related to restraint upon intelligence tactics here in the United States.

We hasten to say that the vision is good, and most of the proposed implementation, but some of the latter may be tightened profitably by the Senate Intelligence Committee as it continues work on legislation for a new intelligence charter. Most of the main provisions of Mr. Carter's order are right on target: They prohibit any covert operations by the CIA in this country, and, outside this country, any plans for assassination of persons presumed to be enemies of the United States. The intelligence agency also, for example, may not, within the United States, keep under surveillance former government officials or employees who have knowledge of government secrets. Nor may it any longer make secret contracts with academic or other institutions outside of government.

In all this, the President seeks to draw the line with unmistakable sharpness between the function of the CIA, which is foreign intelligence, and that of the Federal Bureau of Investigation, which is domestic investigation, so that the CIA never again will meddle around beyond its province in the affairs of citizens in this country. His well-intentioned order may, however, have left a loophole. Under his reforms the CIA cannot tread at will on individual rights as it has on some past occasions; it cannot open mail, conduct searches or engage in electronic surveillance of a citizen in this country without going to court first for a search warrant. But there's an exception which is highly worrisome. He vests wide power in the attorney general to allow such operations without a warrant if the person in question is an agent of a foreign power.

This needs to be spelled out much more carefully. As we can recall without difficulty, almost any dissenter from official policy may be viewed as the servant of a foreign power when a certain authoritarian mentality is at work in Washington, in a time of national turbulence. Despite Mr. Carter's fine intentions, and the good record thus far of Admiral Stansfield Turner, the current CIA director, they will not always be around. We have no final assurance that all their successors will have their contempt for the dirty tricks of the past. Those might be brought back rather easily by a certain kind of attorney general, getting instructions from a certain kind of president, if the rule Mr. Carter now propounds is not made exceedingly specific for the protection of rights, and accompanied by fearsome penalties for misuse.

Beyond this, his concentration in Admiral Turner of far more power than any previous CIA director has held needs to be examined from all angles. True enough, the admiral didn't get all the power he is said to have wanted, over the several agencies, beyond his own, which conduct intelligence. There will be sharing of authority in various aspects. But he *was* given control of a consolidated intelligence budget, going beyond the CIA, of possibly \$8 billion, and enormous power inherently goes with leverage over that much money. The fellow wielding it gets fewer and fewer arguments from officials who otherwise might disagree with the central authority as to evaluations or methods.

Consolidation may bring organizational benefits, of efficiency and economy, but it also may suppress diversity to the detriment of the larger purpose. Perhaps some competition between the various intelligence agencies is best for the country, as a partial guard against dangerously mistaken evaluations by one or the other, as sometimes were made during the Vietnam war. Also, we must add, as partial insurance against any future imperial or omnipotent delusions by one or the other, of the kind which can take root amid the secrecy and affluence of vast intelligence systems under the wrong leadership.

We have no criticism of Admiral Turner's performance; he seems to have done a good job thus far of bringing the CIA into line after its misadventures. But we should be wary of setting up too much power in one man — *any* man.

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